



General Assembly

Substitute Bill No. 5735

January Session, 2007

* _____HB05735PD_____032207_____*

AN ACT CONCERNING INCENTIVES FOR AFFORDABLE HOUSING.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective July 1, 2007*) As used in this section:
- 2 (1) "Eligible locations" means areas (A) near transit stations,
3 including rapid transit, commuter rail and bus and ferry terminals; (B)
4 of concentrated development, including town and city centers, other
5 existing commercial districts in municipalities and existing rural
6 village districts; or (C) that by virtue of their infrastructure,
7 transportation access, existing underutilized facilities or location make
8 highly suitable locations for residential or mixed-use smart growth
9 zoning districts;
- 10 (2) "Infill housing" means new housing in established
11 neighborhoods; and
- 12 (3) "Smart growth district" means a zoning district adopted by a
13 municipality pursuant to section 2 of this act.
- 14 Sec. 2. (NEW) (*Effective July 1, 2007*) (a) A zoning commission may
15 adopt regulations as part of the zoning regulations adopted under
16 section 8-2 of the general statutes or any special act establishing a
17 smart growth district in accordance with the provisions of this section.
18 Any such district shall be superimposed over one or more zoning

19 districts and shall authorize a developer to elect to develop a project in
20 accordance with requirements of the smart growth zoning district
21 ordinance or in accordance with requirements of the underlying
22 zoning district.

23 (b) A smart growth district shall satisfy the following minimum
24 requirements:

25 (1) Be in an eligible location;

26 (2) Provide for a mix of housing for families, individuals, persons
27 with special needs or the elderly;

28 (3) Require a housing density as follows: (A) For multifamily
29 housing, twenty units per acre of developable land area; (B) for single-
30 family homes, eight units per acre of developable land area; and (C) for
31 two and three-family dwelling units, twelve units per acre of
32 developable land area, provided such density can be supported by
33 existing infrastructure or by upgrades to such infrastructure;

34 (4) Provide that not less than twenty per cent of the residential units
35 constructed in projects of more than twelve units shall be affordable
36 and contain provisions to ensure that not less than twenty per cent of
37 the total residential units constructed in each district shall be
38 affordable;

39 (5) Authorize infill housing and additional housing units in existing
40 buildings, consistent with neighborhood building and use patterns,
41 building codes and fire and safety codes;

42 (6) Establish no limitations on the issuance of building permits for
43 residential uses or a local moratorium on the issuance of such permits;

44 (7) Provide no age or other occupancy restrictions for housing in the
45 district, except that specific projects may be developed exclusively for
46 the elderly, the disabled or for assisted living provided not less than
47 twenty-five per cent of the housing units in such a project shall be
48 affordable housing; and

49 (8) Require that a district not exceed fifteen per cent of the total land
 50 area of the municipality, except that the Secretary of the Office of
 51 Policy and Management may approve a larger land area for a district,
 52 and require that the aggregate land area of all approved smart growth
 53 districts in the municipality shall not exceed twenty-five per cent of the
 54 total land area in the municipality.

55 (c) All housing in a smart growth district shall comply with federal,
 56 state and local fair housing laws.

57 Sec. 3. (NEW) (*Effective July 1, 2007*) (a) The Secretary of the Office of
 58 Policy and Management shall establish a program of financial
 59 assistance in the form of grants-in-aid to municipalities that adopt
 60 smart growth districts under section 2 of this act. A municipality
 61 applying for a grant under this section shall provide information to the
 62 secretary sufficient for the secretary to determine that the smart
 63 growth district complies with the minimum requirements of said
 64 section 2. Any grant made under this section may be used by the
 65 municipality for any purpose.

66 (b) The Secretary of the Office of Policy and Management shall
 67 adopt regulations, in accordance with the procedures of chapter 54 of
 68 the general statutes, to implement the provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2007</i>	New section
Sec. 2	<i>July 1, 2007</i>	New section
Sec. 3	<i>July 1, 2007</i>	New section

Statement of Legislative Commissioners:

The bill was rewritten for clarity and to effect the intent of the committee.

HSG *Joint Favorable C/R*

PD

PD *Joint Favorable Subst.-LCO*